

REMARKS

This responds to the Office Action mailed on February 21, 2007. Claims 1, 6, 8, 13, 15, and 19 are amended, claims 4, 12, 18 and 21-23 are canceled; as a result, claims 1-3, 5-11, 13-17, 19-20 are now pending in this application. Applicant has amended and canceled the claims (as described) to expedite allowance. Applicant reserves the right to pursue the unamended and canceled claims in a continuation application.

§102 Rejection of the Claims

Claims 1-3, 5, 8-11, 15-17, and 21 were rejected under 35 USC § 102(b) as being anticipated by Vashi (U.S. 6,219,819). Applicant has canceled claim 21. Accordingly, the rejection of claim 21 is now moot. Claims 4, 6-7, 12-14, and 18-20 were indicated to be allowable if rewritten to overcome the rejection(s) under 35 USC § 112 set forth in the Office Action and amended to include all of the limitations of the base claim and any intervening claims. There were no rejections under 35 USC § 112. Therefore, Applicant assumes that this was a mistake. Applicant has amended claims 1, 8 and 15 to include the limitations of claims 4, 12 and 18, respectively. Accordingly, Applicant respectfully submits that claims 1-21 are now in condition for allowance.

The Office Action indicated reasons for allowable subject matter. The Office Action uses the term "prior art." However, Applicant does not make any admissions regarding the prior-art status of any references in the record of the application. Instead, Applicant regards these references as only being "of record." Additionally, Applicant submits that the Office Action makes numerous assertions regarding the interpretations of limitations of the claims, the contents of the art and distinguishing features of the claims. Applicant has neither verified nor accepted the accuracy of these assertions, and respectfully submits that there may be different interpretations than those identified in the Office Action. Additionally, Applicant respectfully submits that the relevant claims may be allowable for one or more reasons in addition to and/or in alternative to those reasons identified in the Office Action. Applicant reserves the right to further address one or more aspects of the reasons for allowance as may later be necessary or desirable.

§103 Rejection of the Claims

Claims 22-23 were rejected under 35 USC § 103(a) as being unpatentable over Vashi (U.S. 6,219,819) in view of McFarland (U.S. 6,212,629). Applicant has canceled claims 22-23. Accordingly, this rejection is now moot.

Reservation of Rights

In the interest of clarity and brevity, Applicant may not have addressed every assertion made in the Office Action. Applicant's silence regarding any such assertion does not constitute any admission or acquiescence. Applicant reserves all rights not exercised in connection with this response, such as the right to challenge or rebut any tacit or explicit characterization of any reference or of any of the present claims, the right to challenge or rebut any asserted factual or legal basis of any of the rejections, the right to swear behind any cited reference such as provided under 37 C.F.R. § 1.131 or otherwise, or the right to assert co-ownership of any cited reference. Applicant does not admit that any of the cited references or any other references of record are relevant to the present claims, or that they constitute prior art. To the extent that any rejection or assertion is based upon the Examiner's personal knowledge, rather than any objective evidence of record as manifested by a cited prior art reference, Applicant timely objects to such reliance on Official Notice, and reserves all rights to request that the Examiner provide a reference or affidavit in support of such assertion, as required by MPEP § 2144.03. Applicant reserves all rights to pursue any cancelled claims in a subsequent patent application claiming the benefit of priority of the present patent application, and to request rejoinder of any withdrawn claim, as required by MPEP § 821.04.

CONCLUSION

Applicant respectfully submits that the claims are in condition for allowance and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney at (612) 371-2103 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

WILLIAM J. GRUNDMANN

By their Representatives,
SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.
P.O. Box 2938
Minneapolis, Minnesota 55402
(612) 371-2103

Date

6-27-07

By



Gregg A. Peacock
Reg. No. 45,001

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being filed using the USPTO's electronic filing system EFS-Web, and is addressed to: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 21st day of June 2007.

Name

Amy moriarty

Signature

